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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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COMMISSIONER
SUSAN NESS
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Commissioner Susan Ness
Federal Communications Commission
1919 M St., NW
Washington, DC 20554

Dear Commissioner Ness,

With the high-tech changes happening all around us, I believe the rules and laws need to be changed to fulfill our rights as citizens of the U.S.A.

The ability of DBS Dish Network to show local networks in their own cities is the latest and greatest new technology for all U.S. citizens...Oh! Oh! Except for those poor people who live in a place that can get 50% of the broadcast networks 50% if the time: The Grade "B" test zone!

"Grade B" is a technical parameter used by the FCC to determine predictive measurements of signal distribution from a TV tower. If the data used to create a predictive Grade B contour were plotted on a map, it would encircle a geographic area around a broadcast television station tower. The circle would contain an area within which, using an over-the-air antenna, 50% of households could receive a signal 50% of the time. Any variation in the inputs to the model, such as antenna height, terrain, etc., would change the size of the circle.

The predictive Grade B contour was never intended to be used to determine whether or not a consumer can receive an acceptable picture. It was originally intended as a rough calculation to prevent broadcast signals from interfering with one another. The FCC's inputs do not adequately account for obstructions such as mountains, hills and buildings that can interfere with, and even totally block, a television signal. Therefore, there are many households within a predictive Grade B contour who cannot receive an acceptable television signal using an outdoor rooftop receiving antenna.

This means U.S. citizens, because of an off-air antenna law that should have nothing to do with satellite dish broadcasts, have to be tested for signal strength using an outdated and nonfunctional map to see if he qualifies to get his own local broadcasts! The tests use expensive equipment, take time, work and effort and cost big money for the customer for something he should just get as an American citizen. "The right to whatever channels he wants on off-air, cable, satellite dish or soap-on-a-rope!" As an American citizen don't you have the right to watch what you want (if you're willing to pay for it)?

To prevent us from getting news from anywhere in the U.S. is a violation of the first amendment. As an American citizen I should be able to watch the news from any city I choose. It's just like making a law that says I can't read the New York Times because I live near Los Angeles! Ridiculous...and definitely against first amendment rights! If distant local channels are technologically available - and the customer is willing to pay for them - the customer should be able to subscribe to whatever cities he wants!

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For example, you live in LA but you like the Dallas Cowboys and Dallas news so you want Dallas/Ft. Worth on your TV. Why not? What about those customers who live in New York but have another home in Florida? They would want to receive the Miami local news for information on hurricanes in Florida. The advertisers should realize that people who are willing to pay to get those distant local signals must have an interest in what is going on there and would be likely to be a customer for anything being advertised on their channel. Most customers would undoubtedly want to get their local networks in addition to the distant signals. Allowing customers to subscribe to whatever cities in the U.S. that they want will only provide more freedom for the customers, more profit for the satellite companies and local networks, more potential customers for the advertisers. It's a win-win-win situation. Perhaps the people buying the commercials don't want to sell to the whole country! I don't know why. If I wasn't selling my products all over the country I'd have a much smaller company than I have now! So wake up you guys and make more money!

Also, the must-carry laws shouldn't apply to direct broadcast satellite companies because it is a new industry. When cable was new they didn't have a must carry law until 30 years later. It is unreasonable to require the new satellite companies to carry ALL the county channels in a location at this time. It is technologically unfeasible and makes it impossible for satellite companies to compete with cable. In the best interests of all U.S. citizens, the must-carry laws should be changed to allow satellite companies to broadcast just the networks from any particular city. This will promote true competition with the giant cable monopolies.

I do believe as a citizen of the U.S.A. I should be able to watch networks and independents from all over the U.S. in any part of the U.S. Why should we use old technologies from the 1950's (archaic aluminum antennas) when for a small amount of money you can have all the channels in 100% digital with CD audio and an 18" dish and receiver? It just doesn't seem right because you live on the "wrong side of town in Grade B Lane, Anytown, USA" you can't have high tech channels. Why do you have to be an "unserved household" be able to get satellite dish networks? Please Commissioner Ness, Rep. Tauzin and Sen. McCain, keep working on reestablishing our American constitutional rights to watch what we want! If the technology is there why not take advantage of it? Let's all take a good look at the first amendment of the constitution and change the rules! No "grade B signal tests!" Don't make these stupid tests rule our right to watch what we want!

U.S. CITIZENS AGAINST MYOPIC TELEVISION PROGRAMMING LAWS!

Thank you very much.

Your constituent,

A handwritten signature in cursive script, appearing to read "Evan Lusk". The signature is fluid and includes a large, stylized loop at the end.

P.S. I'm sending this letter to as many newspapers as I can!